

THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

UNITED STATES OF AMERICA)

Plaintiff)

case NO. 4:19-CR-00649-JAR

VS.)

Briran Blake)

Defendant)

MOTION TO STRIKE EVIDENCE

COMES Now, Briran Blake ("Defendant" or "Mr. Blake") who is proceeding in this Cause in propria persona and pursuant to Federal Rule of Evidence 404(b)(1) and 404(a)(1) moves to strike any and all character evidence, crimes, wrongs, or other acts. Pursuant to Haines v. Kerner, 404 U.S. 519, 520 (1972) (holding "pro-se litigants to a lesser standard than those of trained attorneys"). and in support of the Same Mr Blake asserts the following grounds:

STATEMENT OF RELEVANT FACTS

1.) Rule 404(a)(1) prohibits uses of a persons character or character trait is not admissible to prove that on a Particular occasion the person acted in accordance with the character or trait.

2.) Rule 404(b)(1) Prohibits uses and evidence of a crime wrong, or other act is not admissible to prove a persons character

in order to show that on a particular occasion a person acted in accordance with the character.

3.) Rule 404(b)(2) Only permits the use of character evidence when this evidence may be admissible for another purpose, such as proving motive, opportunity, intent, preparation, plan, knowledge, identity, absence of mistake, or lack of accident.

4.) None of the evidence the prosecutor intends or will admit from the defendant's Facebook account meets any of the criteria listed in Rule 404(b)(2), and is therefore inadmissible by Rule of Federal Evidence.

REASONS TO GRANT THIS MOTION

Defendant asserts that Facebook Information is completely irrelevant to the defendants case at hand. There has not been a Scintilla of evidence to prove motive, opportunity, intent preparation, plan, knowledge, identity, absence of mistake, or lack of accident for the prosecutions purpose for use of facebook information.

WHEREFORE based on all the foregoing facts and authorities and interest of justice Mr. Blake, respectfully urges this honorable court to GRANT THIS MOTION an failure to do so will prejudice the defendant.

MOREOVER Mr. Blake asks this court to grant any other relief for which he is and or may be Entitled to as a matter of law

Respectfully Submitted
Brian Blake
IN Propia Persona

I HEREBY CERTIFY that a true and correct copy of the foregoing document was served upon the ~~standby~~ standby counsel "Joseph Hogan" attorney in the EASTERN DISTRICT OF MISSOURI.